

CONSTRUCTION
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE TOWN OF FLORENCE

THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE" and the TOWN OF FLORENCE, hereinafter called "TOWN",

WHEREAS, the STATE is empowered by A.R.S. Section 28-108 to enter into this Agreement and the Director of the ARIZONA DEPARTMENT OF TRANSPORTATION has delegated to the undersigned his authorization to execute this Agreement on behalf of the STATE,

WHEREAS, the TOWN OF FLORENCE is empowered by A.R.S. Section 48-572 to enter into this Agreement, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this Agreement and has authorized the undersigned as its representative to execute the same on behalf of said Town,

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the Town of Florence. This work shall consist of the installation of new traffic signals at the following location:

SR 287 MP 133.54 (Butte Ave & Main St)
Project #F-055-1-918

NO. <u>13244</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>7-17-87</u>
<u>Rae O. Ruff</u> Secretary of State

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals on SR 287 MP 133.54 (Butte Ave & Main St).

2. The TOWN OF FLORENCE, upon completion of the work shall reimburse the STATE for 50% of the final construction and engineering costs at SR 287 (Butte Ave & Main St) not to exceed \$40,000 for its share of the cost of the work.

3. This Agreement shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place and functional.

4. All parties are hereby put on notice that this Agreement is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38511.

5. This Agreement shall be filed with the Secretary of State and shall become effective upon filing.

6. Attached to this Agreement and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the TOWN OF FLORENCE is authorized under the laws of this State to enter into this Agreement and that it is in proper form.

In the event of a dispute, the parties agree to use arbitration to the extent required by A.R.S. §12-1518.

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

BY: _____

State Engineer

DATE: _____

6-26-87

TOWN OF FLORENCE

BY: _____

TITLE: _____

Mayor

DATE: _____

6-16-87

ATTEST:

Date: 6-16-87



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR87-1706, is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 12 day of July, 1987.

ROBERT K. CORBIN
Attorney General

[Signature]
Assistant Attorney General
Transportation Division

Project #F-055-1-918
SR 287 - MP 133.54 (Butte Ave & Main St)
TOWN OF FLORENCE

RESOLUTION

BE IT RESOLVED on this 13 day of May, 19 87,
that I, CHARLES L. MILLER, as Director, ARIZONA DEPARTMENT
OF TRANSPORTATION, have determined that it is in the best
interests of the State of Arizona that the DEPARTMENT OF
TRANSPORTATION, acting by and through the Highways Div-
ision, enter into a Construction Intergovernmental Agree-
ment with the TOWN OF FLORENCE for the installation of
traffic signals justified by a traffic engineering study.
The Town of Florence shall reimburse the STATE for 50%
of the final construction and engineering costs not to
exceed \$40,000 for its share of the cost of this work.
THEREFORE, authorization is hereby given to draft said
Agreement which, upon completion, shall be submitted for
approval and execution by the State Engineer.



CHARLES L. MILLER, Director
ARIZONA DEPARTMENT OF TRANSPORTATION